

## Enrollment Cap Notification Request

The *Enrollment Cap Notification Request* is used to increase or decrease the number of students the Charter Holder may serve at its school site(s). The request must be submitted timely so that it may be processed within the timeframe provided in rule and implemented before the beginning of the school year. Review the *Meeting Schedule and Notification Request Submission Deadlines* document, available on the ASBCS webpage (<http://asbcs.az.gov>) to determine the deadline for submitting a notification request to be considered by the Board by a specified date. An enrollment cap increase is not effective until approved by the Board.

## Academic Performance Eligibility and Submission Requirements

The Board has approved notification processes that reduce the Charter Holder's submission requirements when the Charter Holder meets the academic performance eligibility criteria, as described in the *Academic Performance Framework and Guidance* document ("*Guidance*"), available on the ASBCS webpage (<http://asbcs.az.gov>). The following section uses definitions and criteria as adopted by the Board in the *Guidance*.

Any Charter Holder may submit an *Enrollment Cap Notification Request* for a **decrease** in enrollment cap without including a Demonstration of Sufficient Progress (DSP) Report.

A Charter Holder with a school eligible to receive an overall rating may submit an *Enrollment Cap Increase Notification Request* without including a DSP Report if:

- All the schools operated under the charter for which expansion is being requested have an overall rating of "Meets Standards" or "Exceeds Standard" in the most recent fiscal year that State assessment data is available, or
- The school operated under the charter for which expansion is specifically being requested has an overall rating of "Meets Standard" or "Exceeds Standard" in the most recent fiscal year that State assessment data is available.

To request consideration for eligibility, submit a completed Eligibility Form along with the request.

When one or more schools operated under the charter for which expansion is being requested has a "No Rating" in the current year, the Charter Holder will be required to submit additional information. Please contact the Charter Board office to confirm what additional information will be required.

When one or more schools operated under the charter for which expansion is being requested do not have an overall rating of "Meets Standard" or "Exceeds Standard" in the most recent fiscal year, but did have an overall rating of "Meets Standard" or "Exceeds Standard" in the prior fiscal year, the Charter Holder will be eligible to submit an *Enrollment Cap Notification Request* between January 1 to March 31 with a DSP Report.

When one or more schools operated under the charter for which expansion is being requested do not have an overall rating of "Meets Standard" or "Exceeds Standard" for both of the two most recent years that State assessment data is available, the Charter Holder will not be eligible to submit an *Enrollment Cap Notification Request* until:

- 1) The Charter Holder submits a letter of intent to appear before the Board for eligibility consideration of an *Enrollment Cap Notification Request*, and
- 2) The Board approves the Charter Holder to submit an *Enrollment Cap Notification Request*. The Charter Holder will be required to submit a DSP Report with the request, and may only submit the request between January 1 and March 31 of the fiscal year prior to intended implementation.

A Charter Holder with no school eligible to receive an overall rating for which expansion is being requested may submit an *Enrollment Cap Notification Request* if one or more associated schools have an overall rating of “Meets Standard” or “Exceeds Standard” in the most recent year for which State assessment data is available. Please contact the Charter Board office to confirm if additional information will be required.

A Charter Holder with no school eligible to receive an overall rating for the charter for which expansion is being requested is not eligible to apply until the school has received an overall rating in the most recent fiscal year for which State assessment data is available or meets the above condition regarding associated schools.

**Demonstration of Sufficient Progress:** A Charter Holder that may submit an *Enrollment Cap Notification Request* but does not meet the above academic performance eligibility criteria will also need to submit a DSP Report, as described in Appendix E of the *Guidance*. The DSP Report Template and the instructions for its completion are both available on the Board’s website under the “Academic Interventions” tab in the “Performance Expectations & Reviews” section.

During the substantive review process, if a DSP Report has been submitted, staff will evaluate the DSP Report and conduct a site visit with the Charter Holder to confirm evidence of actions described in the DSP Report.

For each school operated by the Charter Holder that has an overall rating of “Does Not Meet” or “Falls Far Below” Standard on the most recent Academic Dashboard, but which received an overall rating of “Meets” or “Exceeds” in the prior year, address all measures that received a score of “Does Not Meet”, “Falls Far Below” or “No Rating” in either year.

(The following applies only to Charter Holders who have submitted a Letter of Intent for Board consideration and been approved to submit a request with a DSP Report) For each school operated by the Charter Holder that has an overall rating of “Does Not Meet” or “Falls Far Below” Standard on the most recent and prior Academic Dashboards, address all measures, except those measures that received a “Meets” or “Exceeds” on both dashboards.

As part of the administrative review, if an Eligibility Form is submitted, staff will confirm the eligibility for reduced submission and determine that all components of the notification request are present. If the Charter Holder does not meet the academic performance eligibility requirements and/or one or more components are missing, the request will be deemed administratively incomplete and closed. The notification of administrative incompleteness will include directions for resubmission.

**Letter of Intent:** A Charter Holder that does not meet the above academic performance eligibility in the prior and current year must submit a letter to the Board requesting to be placed on an agenda for consideration of permission to submit an expansion request. The letter should address:

- Rationale for expanding,
- Scope of the expansion, including whether the *Enrollment Cap Notification Request* will be submitted concurrently with any other expansion request,
- Timeframe for implementing the additional grades, and
- Description of Charter Holder’s capacity to implement expansion while correcting academic deficiencies.

The Letter of Intent must be submitted by the first Monday in February for the regular March Board meeting (last meeting option with the DSP Report submitted after Board approval and before March 31). A Letter of Intent will be placed on the agenda of an upcoming meeting of the Board. Any *Enrollment Cap Notification Request* submitted before Board approval of permission to submit, or any request that exceeds the scope specified by the Board, will be deemed Administratively Incomplete and closed.

The Letter of Intent should be sent to Johanna Medina, Director of School Quality at [johanna.medina@asbcs.az.gov](mailto:johanna.medina@asbcs.az.gov).

## Consideration of Operational Compliance

As described in the Board's policy for conducting compliance checks, Board staff will review the areas listed below to ensure the charter holder meets the level of compliance specified. The following areas will be considered in the compliance check:

- Currently not be having 10% withheld for failure to timely submit its most recent annual audit.
- Be in "good standing" with the Arizona Corporation Commission. This is determined by accessing information available through the Commission's website.
- Not have a repeat corrective action plan issue identified through the most recent annual audit as defined by the Board's Audit & Compliance Questionnaire Follow-up Matrix. The notification hold remains in place until compliance is demonstrated through the next annual audit or agreed-upon procedures, if the procedures have already been developed by the Board.
- If applicable, have received notification from the Board that the current fiscal year audit corrective action plan has been completed.
- If a special education corrective action plan is in place, be in compliance with the plan's requirements. This is determined by information provided by the Arizona Department of Education's (ADE) Exceptional Student Services Division.
- If applicable, have a "compliant" status confirmed by the ADE's Grants Management Division for each grant for the past four years.
- If applicable, be in compliance with No Child Left Behind requirements. This is determined by information provided by the ADE's Academic Achievement Division.
- If applicable, be in compliance with National School Lunch and Breakfast Programs requirements. This is determined by information provided by the ADE's Health and Nutrition Services Division.
- If applicable, be current in submitting employer and employee contributions and reports to the Arizona State Retirement System (ASRS). This is determined by information provided to the Board by ASRS.

A finding that the Charter Holder is not in compliance in one or more of these areas may result in a delay in consideration of the request by the Executive Director or Board.

## Consideration by the Board

A substantively complete notification request submitted by a Charter Holder that meets the eligibility criteria may be considered for approval by the Executive Director, or may be placed on the agenda of a regular Board meeting as specified in rule. A substantively complete notification request submitted by a Charter Holder that does not meet the eligibility criteria will be placed on the agenda of a regular Board meeting as specified in rule. The most current academic data will be provided to the Board for its consideration of the notification request, as well as results of the DSP evaluation and information regarding compliance matters for the Charter Holder of Associated Schools (if applicable) including:

- Whether any portion of an Associated School's state funding is currently being withheld pursuant to action taken by the Board;
- Whether a Notice of Intent to Revoke the Charter is pending for the Charter Holder of any Associated School;

- Whether the Charter Holder of any Associated School is currently scheduled for action by the Board regarding potential withholding of state funding or the issuance of a Notice of Intent to Revoke the Charter.

## Completing the Request Form

**The following instructions supersede the instructions listed in the upload area of the ASBCS Online system** for the *Enrollment Cap Notification Request*. Work through the form, filling in all required fields and uploads (denoted by "\*"). Follow the instructions for each upload field. Be sure to save your work, even if you aren't prepared to submit your form, so that you do not lose your data.

**From\*** - Confirm that the *From* field accurately identifies the Enrollment Cap approved for the charter contract. If not, contact the Board office.

**To\*** – Enter the Enrollment Cap being requested, ensuring it is supported by the documented capacity of the facility/facilities identified.

**Board Minutes\*** - Upload evidence (i.e. minutes) that the proposed change has been approved by the Charter Holder. (If the body is subject to Open Meeting Law, minutes must comply with A.R.S. §38-431.01.)

**Narrative** - Provide a narrative that responds to the following prompts:

For **increase**:

1. Provide the timeline for implementing the request, including the projected number of students served per grade , and including whether the *Enrollment Cap Notification Request* will be submitted in conjunction with any other amendment or notification requests which would warrant concurrent consideration.
  2. Summarize the organization's capacity to support the quality and long-term academic and operational success and financial viability of the proposed growth of the charter until capacity is reached.
- (for Charter Holders **meeting** the Academic Performance Eligibility requirements) Attach the completed Eligibility Form to the narrative and upload as one document.
  - (for Charter Holders **not meeting** the Academic Performance Eligibility requirements) Attach the completed **DSP Report Template** to the narrative and upload as one document.
  - (for Charter Holders not eligible to receive an overall rating) Attach the completed Eligibility Form and any DSP Report Template(s) (if applicable) to the narrative and upload as one document.

For **decrease**:

- Provide the timeline for implementing the request, including the reason for the decrease in enrollment cap, and including whether the *Enrollment Cap Notification Request* will be submitted in conjunction with any other notification or notification requests which would warrant concurrent consideration.

**Documentation that the current facilities can accommodate the requested capacity\*** – Upload documentation of facility capacity, including:

- A Certificate of Occupancy, approved for educational use, AND
- A current Fire Marshal's Inspection Report.
- If the Certificate of Occupancy and/or Fire Marshal's Inspection Report do not list the capacity load of the facility, provide additional documentation (e.g. floor plans with classroom square footage, architectural drawings clearly indicating internal building dimensions) to document capacity.